

COLONEL SPALDING WINS BIG POINT

Secures Reversal and New Trial in Suit For Debt Against Him

Col. Z. S. Spalding of Keala, Kauai, and Judge William B. Lymer, his lawyer, won an important point in the supreme court yesterday when that tribunal handed down an opinion in which the judgment of the lower court was reversed and set aside and a new trial granted and ordered in the case of A. M. Stewart and James G. Stewart, doing business as the James Stewart & Co., against Z. S. Spalding.

The case was tried before a jury in Judge Whitney's court, the jury finding for the plaintiff in the sum of \$15,747.65, with interest from February 3, 1911. The trial was a long and exhaustive one. The verdict was rendered on November 23, 1915, almost a year ago, after a trial which lasted eight weeks. The judgment entered by Judge Whitney, in pursuance of the verdict returned by the jury, was for \$15,747.65.

The supreme court reverses this judgment and vacates the verdict, holding errors of law committed in allowing certain evidence to go to the jury and in certain instructions given to the jury by the court against the protest and objection of the defendant.

The opinion of the supreme court was written by Chief Justice Robertson and is concurred in by Associate Justices Watson and Quinlan. Mr. F. P. Prosser and A. M. Crispy (Prosser, Prosser, Anderson & Marx and A. M. Crispy on the brief) represented the plaintiff company, while Judge Lymer (Lindsay & Lymer on the brief) represented Colonel Spalding.

James Stewart & Co., brought suit against the Kauai planter for \$15,747.65, a balance the plaintiff claimed that Colonel Spalding owed them on the construction of the Spalding Building, a business block in Portland, Oregon, which cost \$562,267.42 and on which the plaintiff company claimed that Colonel Spalding had paid only \$505,665.03.

J. E. SHEEDY LEAVES INTER-ISLAND LINE

Resignation Surprises Many Local Friends of Superintendent

To take effect December 1, the resignation of Joseph E. Sheedy, general superintendent of the Inter-Island Steam Navigation Company has been accepted by Norman E. Gedge, acting general manager. Beyond the announcement of the resignation, no comment was made on Mr. Sheedy's action at the offices of the company yesterday.

"I am going to Seattle, my former home," stated Mr. Sheedy. "Beyond that I have nothing to say."

The directors of the company will meet Monday, it is believed, to fill the vacancy. The company officials yesterday would not make an announcement concerning the new general superintendent but it is presumed that it will be William MacKay, agent for the company in Hilo.

G. R. MILLER TAKES POST ON BIG ISLAND

G. R. Miller, a draftsman in the department of public works, has been appointed by Collector of Internal Revenue Haley to succeed E. G. S. Crabbe as deputy collector in charge of the Hilo office. Miller will take charge December 1, relieving W. G. Ashley Jr., who was sent from the Honolulu office this week to take temporary charge.

Miller has been in the public works department for about a year and a half, during which time he has done work that has earned him the commendations of his chief, Charles R. Forbes. He has been a resident of Honolulu for about six years.

Mr. Forbes said yesterday that he was sorry to lose Miller but was glad to see him step into a better and more responsible position.

WITNESS SAYS TATEISHI ADMITTED KILLING MATE

S. Kozuki, at one time connected with the city detective bureau, testified yesterday during the trial of Takumi Tateishi, charged with first-degree murder, that Tateishi had admitted to him that he had done the shooting when Oliver N. Paakahila, mate of the steamer Kauai, was killed on August 5. Capt. Arthur McDuffie finished his testimony yesterday. When court adjourned S. Kozuki was still in the witness stand, under cross-examination. The trial will be resumed before Judge Ashford and the jury at nine o'clock next Monday morning.

PRESIDENT GILMAN PROMISES SUPPORT

Believes Tourist Possibilities of Island Territory Great He Tells Businessmen

The greater the exploitation of Hawaii's attractions among tourists by one transportation company the better for all companies. This was the text of an intimate talk by L. C. Gilman, president of the Great Northern Pacific Steamship Company to the members of the Commercial Club at lunch yesterday. He was followed by John S. Mitchell, president of the Los Angeles chamber of commerce, who spoke in the same strain, saying that Los Angeles was anxious to deal with Hawaii and believed that a trade could be built up without decreasing the trade with other points.

"My company is a pioneer," Mr. Gilman said, "but in pioneering it never wishes to injure the business of others. The exploitation which we have done will bring thousands of people here, and right now every agent on 30,000 miles of railroads is talking 'Hawaii'."

"You can make a great tourist resort out of these islands without injuring the sugar business, for it will bring money here and take none away. Before I came here I did not understand your many problems, but now when I return I can help you and you may be sure that your call for help will never go unheeded."

REINHARDT WINS HIS CASE IN SUPREME COURT

Must, However, Remit \$300 From Amount of Damages

An opinion "with a string to it" was handed down in the supreme court yesterday in favor of the plaintiff in the case of Charles Reinhardt against the County of Maui.

While going along a Maui road Reinhardt fell and injured himself in a ditch running across the public highway. He sued for damages and a jury in Judge Edging court at Wailuku awarded him a verdict for \$2000.

"It may be that in estimating the damages of the plaintiff the court did not allow as an item thereof the traveling expense and fees paid to doctors at Hilo and Honolulu," says the opinion of the supreme court, written by Associate Justice Quinlan and concurred in by Chief Justice Robertson and Associate Justice Watson, in closing: "yet, inasmuch as the court in its decision says that the plaintiff 'was put to considerable monetary expense for medical treatment, etc.' we assume that it did allow as a part of the plaintiff's damages traveling expense and money paid to Doctors Irwin and Straub to the extent of \$300, but which should not have been allowed under the evidence."

"We therefore have concluded to overrule the exception upon the condition that the plaintiff, within ten days from the filing of this opinion file in the court below a writing, signed by him, or his attorneys, remitting \$300 of the judgment in his favor in this action, a duplicate of which writing shall be filed in this court within such time, otherwise the judgment of this court will be entered sustaining the exceptions and granting the defendant a new trial, and it is so ordered."

LOCAL CAPITALISTS WILL DRAIN COPPER MINE

Honolulu investors having purchased a controlling interest in the bonds, and large holdings of stock in the Montana-Bingham Consolidated Mining Company, Jorgen Jorgensen, the well known engineer, has undertaken to build a tunnel into the mine. This property is a copper proposition located in Utah which was abandoned because the mines became flooded.

Mr. Jorgensen is to complete a 5800-foot drainage tunnel which has already been excavated 1200 feet and also sink two shafts each 500 feet deep. He informed The Advertiser shortly before he left for the Coast that he expects to return here in three or four months.

JURY COMMISSIONERS GIVEN REAPPOINTMENT

James L. McLean and Manley G. K. Hopkins were appointed by Circuit Judges Ashford and Whitney yesterday as jury commissioners for the 1917 term of the first circuit court. The commissioners served in a like capacity during the present year.

CITY AUTO SMASHED

An automobile of the city and county waterworks, driven by Joseph Santos, dashed down the Pali Road Thursday night and crashed into a truck of the Honolulu Dredging and Construction Company, driven by Fred Cain. The city auto was unoccupied, Santos having gotten out to crank it. Cain had stopped his machine to put on skid chains. The city auto was damaged. Neither driver was injured.

EARLY COLDS

Be careful of the colds you take at this time of the year. They are particularly dangerous. A neglected cold may mean a winter-long cold. Take Chamberlain's Cough Remedy at once. For sale by all dealers. Benson, Smith & Co., Ltd., agents for Hawaii.

MOVIE TRUST SUED FOR MANY MILLIONS

Western Agencies Open Fight Against Makers of Films

(Associated Press by Federal Wireless.) NEW YORK, November 18.—Suits for treble damages aggregating \$18,200,000 were filed yesterday in the federal court against the "Moving Picture Trust," alleging violations of the Sherman Act.

These suits have been brought under the anti-trust law against the motion picture patent holding corporations, various producing companies and a number of individual "movie kings."

The suits have been brought by a number of film agencies doing business in the Middle West, who claim that they cannot do business except on such terms and conditions as the alleged trust imposes and that there is no chance for independent film producers.

KAISER'S DIPLOMATS SCOUT WARNING RUMOR

Deny President Told Them His "Patience Nearly Exhausted"

(Associated Press by Federal Wireless.) WASHINGTON, November 18.—Reports that President Wilson has sent to the German ambassador a message telling Count von Bernstorff that "the patience of the government of the United States has reached a point where it is on the verge of exhaustion" owing to the frequency of the recent submarine incidents, are not credited by German diplomats attached to the German embassy here.

"There is no plan on the part of the German government to violate the pledges regarding the conduct of the submarine warfare which have been made to the United States," said one member of the embassy staff last night.

RUSSIA REAFFIRMS FAITH WITH ALLIES

(Associated Press by Federal Wireless.) PETROGRAD, November 17.—The Russian minister of foreign affairs has called to all Russian diplomatic representatives stationed at the capitals of neutral nations declaring that Russia abides by her determination not to seek a separate peace.

ASHES OF AGITATOR BECOME SOUVENIRS

(Associated Press by Federal Wireless.) CHICAGO, November 17.—The ashes of Hillstrom, the I. W. W. organizer executed in Utah, are to be distributed in 600 packets over the world for memorial meetings to be held at the same time.

OSBORNE TO INVESTIGATE PRISON SYSTEM OF NAVY

(Associated Press by Federal Wireless.) WASHINGTON, November 17.—Thomas Osborne, former warden of Sing Sing prison, at the request of Secretary of the Navy Daniels has agreed to make a study of prison conditions in the navy, with a view to recommending a reform system of administration.

CHINESE SEEKING BETTER RELATIONS WITH AMERICA

(Associated Press by Federal Wireless.) WASHINGTON, November 18.—The announcement of the successful completion of a \$5,000,000 loan to China by Chicago banking interests was followed last night by a statement from Dr. C. V. Wellington Koo, ambassador from Peking to this country.

"The people of China," said Doctor Koo, "are exceedingly keen to develop deep friendly and business relations with the people of the United States and are prepared to take any legitimate means to accomplish this."

MINISTER REACHES TOKIO

(Associated Press by Federal Wireless.) Viscount I. Motono, formerly Japanese ambassador to Petrograd, who was recently appointed minister of foreign affairs of the Teruchi cabinet of the Japanese government, arrived at Tokyo yesterday from Russia, according to a cablegram received here yesterday by the Nippon Jiji. He will assume the duties of his new office next Tuesday. The installation ceremonies taking place at the royal palace.

HUGHES STILL LEADING

(Associated Press by Federal Wireless.) ST. PAUL, Minnesota, November 18.—With the official count of the balloting at the last general election still coming in slowly, the tally last night showed that Charles Evans Hughes, Republican candidate for the presidency, is but ninety-four votes in the lead over President Wilson, his Democratic opponent.

Chinese Slaughtered By Villista Bandits

(Associated Press by Federal Wireless.) LAREDO, Texas, November 18.—Twenty-five Chinese residents of Santa Rosalia, south of the City of Chihuahua, have been murdered by the bandits under the leadership of Villa, according to information brought to this city last night by refugees from Durango. The fact that Villa is now operating all trains south of Chihuahua for his own benefit, was also brought here last night.

CHURCHILL PREDICTS UNIVERSAL SERVICE

Believes British Government Will Take Over All Shipping

(Associated Press by Federal Wireless.) LONDON, November 17.—Winston Churchill, former head of the British admiralty, in a speech in the house of commons today predicted that before the end of the war the British government will take over all British shipping and that universal service will be ordered for army and general purposes.

He urged the adoption of ration tickets for essential food supplies and the fixing of prices to meet the present problem of soaring costs.

"There is need of an organization to produce the munitions of life as well as of death," he said. "We must do it while there is yet time."

PEACE COMMISSION QUILTS UNTIL MONDAY

(Associated Press by Federal Wireless.) ATLANTIC CITY, New Jersey, November 18.—The joint Mexican and American peace commission sitting here to settle, if possible, the questions pending between the United States and its southern republic adjourned yesterday until Monday. The deadlock over the proposals made by the American commissioners, caused by the refusal of Senator Bonillas to agree was still unbroken when the commission meeting ended yesterday. Commissioner Paul was willing to agree, but Senator Cabrera successfully interposed. Cabrera in the meantime is conferring with American and foreign mining interests in Mexico, concerning the proposed readjustments of the taxation upon these properties.

BRITISH AIR RAIDERS BOMBARD TEUTON PORTS

(Associated Press by Federal Wireless.) LONDON, November 18.—The war office last night reported a successful raid by the British against the German naval establishments at Ostend and Zeebrugge, in Belgium. The docks and submarine stations were bombed together with a number of vessels. All the aeroplanes engaged in the raid returned to their stations unharmed.

AEROPLANES BATTLE ABOVE FRENCH CITY

(Associated Press by Federal Wireless.) PARIS, November 17.—Fifty-four aerial engagements took place today on the Amiens front. For hours the air was filled with the battle-plans fighting each other, dropping bombs and dodging the anti-aircraft gun-fire.

California Rice

California has entered into the rice business on a tremendous scale and is planting a variety very similar to Hawaiian rice, with a long, thin grain instead of the plump, rounded Japanese varieties. A Philippine rice, the Pelti variety, is displacing all other strains in the Sacramento Valley.

"One of the new implements that is being used to reduce cost of production is a Holt caterpillar harvester and thrasher that cuts twenty acres a day, threshes it and bags the paddy."

Who Buys 'Em?

"Why do you, specialize on rutabagas?" "Well, nobody wants to steal 'em. There's no temptation to eat 'em your self. Nothing hurts 'em. It's a sure crop."—Louisville Courier-Journal.

Soy Bean Oil

A ton of soy beans will yield about forty gallons of oil useful in various ways, leaving bean cake worth thirty dollars a ton for cattle feed. Daizu oil is one of the big commercial exports from North China. It would seem that experiments should be made in extracting oil from Hawaiian grown daizu.

TO CURE A COLD IN ONE DAY

Take LAXATIVE BROMO QUININE (Tablets). Druggists refund money if it fails to cure. The signature of W. GROVE is on each box. Manufactured by the PAKIS MEDICINE CO. ST. LOUIS, U. S. A.

Honolulu Wholesale Produce Market

ISSUED BY THE TERRITORIAL MARKETING DIVISION November 17, 1916.

BUTTER AND EGGS		POULTRY	
Island butter, lb. cartons...	30 to 40	Young roosters, lb.	33 to 40
Eggs, select, doz.	73 to 75	Hens, lb.	26 to 28
Eggs, No. 1, doz.	67 to 70	Turkeys, lb.	26 to 28
Eggs, No. 2, doz.	40 to 45	Ducks, Muscovy, lb.	27 to 30
Eggs, duck,	47	Ducks, Peking, lb.	28 to 30
		Ducks, Hawn, doz.	5.50 to 6.00

VEGETABLES AND PRODUCE

Beans, string, green, lb.	0.34 to 0.4	Peanuts, small, lb.	0.4
Beans, string, wax, lb.	0.4 to 0.44	Peanuts, large, lb.	0.4
Beans, Lima in pod, lb.	0.34	Green peppers, bell, lb.	0.06
Beans dry—		Green peppers, Chili, lb.	0.05
Beans, Maui Red, cwt.	5.25 to 5.55	Potatoes, lat, Irish, 100 lbs.	(none)
Beans, calico, cwt.	5.50	Potatoes, sweet, cwt.	90 to 1.00
Beans, small white, cwt.	8.00	Potatoes, red, cwt.	1.00 to 1.10
Beets, doz, bunches,	40	Turnips, cwt.	50 to 75
Carrots, doz, bunches,	40	Turnip bachel,	0.3 to .4
Cabbage, doz,	2.00 to 2.20	Tomatoes, lb.	0.8 to .10
Corn, sweet 100 ears,	2.00 to 2.25	Green peas, lb.	0.8 to .10
Corn, Haw., am. yel.	42.00 to 43.00	Cucumbers, doz.	40 to 50
Corn, Haw., lg. yel.	38.00 to 42.00	Pumpkins, lb.	0.24
Rice, Japanese seed, cwt.	3.70		
Rice, Hawn, cwt.	4.00		

FRUIT	
Alligator pears, doz.	85 to 150
Bananas, bunch, Chinese,	20 to 50
Bananas, bunch, Cooking,	1.00 to 1.25
Breadfruit, doz.	50
Figs, 100	1.00
Grapes, Isabella, lb.	10

(Meat, cattle and sheep are not bought at live weight. They are taken by the meat companies dressed and paid for by weight dressed.)

Hogs, up to 150 lbs.	11 Hogs, 150 lbs. and over,	10
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DRESSED MEATS	
Beef, lb.	11 to 13
Mutton, lb.	14 to 15
Pork, lb.	15 to 17

HIDES (Wet-salted)	
Steer, No. 1, lb.	16 1/2
Steer, No. 2, lb.	15 1/2
Kips, lb.	16 1/2

The following are quotations on feed, f.o.b. Honolulu:

Corn, am. yel., ton.	47.00 to 48.00	Oats, ton.	49.00
Corn, large yel., ton.	45.00 to 46.00	Wheat, ton.	62.00 to 64.00
Corn, cracked, ton.	46.00 to 47.00	Middling, ton.	47.00
Bran, ton.	36.00 to 38.00	Hay, Wheat ton.	28.00 to 32.00
Barley, ton.	47.00 to 49.00	Hay, Alfalfa, ton.	29.00 to 30.00
Scratch food, ton.	60.00 to 62.00		

The Territorial Marketing Division is under supervision of the U. S. Experiment Station, and is at the service of all citizens of the Territory. Any produce which farmers may send to the Marketing Division is sold at the best obtainable price. A marketing charge of five per cent is made. It is highly desirable that farmers notify the Marketing Division what and how much produce they have for sale and about when it will be ready to ship. The shipping mark of the Division is T. M. D. Letter address, Honolulu, P. O. box 1837. Salesroom, Waikiki corner Maunakea and Queen streets. Telephone 1840. Wireless address, TERMARK.

WEEKLY MARKET LETTER

Eggs are still advancing in price, and by Thanksgiving Day may be eighty cents a dozen, wholesale. The demand for poultry for Thanksgiving promises to be good. Very few island turkeys have been reported, and it looks as though Muscovy ducks and chickens will have to be imported.

The first shipment of Roselle is now on the market at eight cents a lb. wholesale. This fruit would meet with a ready sale if the public was better acquainted with it. It makes one of the best jams and jellies, and is largely used for a substitute for cranberries.

Pineapples have been very scarce during the past week, but are beginning to come in better now.

The price of feed has again advanced in some cases as much as seven dollars a ton.

A. T. LONGLEY, Marketing Supt.

WOULD DUSTERS DO INSTEAD OF SPRAYING PINEAPPLES?

For applying iron compounds to pineapples grown on manganese soils, a correspondent suggests that some other method is needed than the spray pump. Water transport to the pineapple fields is quite a problem on some plantations. It is suggested that dusting machines might be employed, provided the iron sulphate can be combined in finely divided form with some satisfactory carrier, application to be made when the leaves are wet with the early morning dew.

It is reported that experiments along this line are to be made in the Pupunui fields at early date. Theoretically, if that is necessary to have the iron go into solution on the leaves so that it can be readily absorbed, and the dust method of application, if it works, would save hauling a lot of water.

It Worried Him

Representative Hill, of Iowa, sent free seeds to a constituent in a franked envelope, on the corner of which were the usual words, "Penalty for private use \$300." A few days later he received a letter which read:

"I don't know what to do about those garden seeds you sent me. I notice it is \$300 fine for private use. I don't want to use them for the public garden. I can't afford to pay \$300 for the privilege. Won't you see if you can't fix it so I can use them privately? I am a law-abiding citizen and do not want to commit any crime."—Toledo Blade.

Rice Substitute Wanted

What to do with rice land is coming to be a serious problem. The market is steadily diminishing and there are probably very few of the Chinese growers who make more than day wages out of the business.

Elsewhere soils of the general character of Hawaiian rice patches are much in demand for onions and other crops, and it might be well for the experiment station to find out whether rice can be replaced with some other cash crop.

Grape Salad

Seeded grapes make delicious salad, with appropriate dressing. Heat one cup vinegar with butter half the size of an egg. Mix three eggs with one teaspoon mustard, one teaspoon flour, two tablespoons sugar, and one teaspoon salt. This mixture is added to the hot vinegar for the boiled dressing. Serve cold.

Meat Inspection

The United States meat inspection service certified to the wholesomeness of 11,220,958 pounds of meat from 61,826,304 animals during the last fiscal year. It condemned 348,945 pounds and 738,361 parts of animals, equivalent to about 84,320,000 pounds of meat.

SCIENCE MAKING NEW FORAGE PLANTS

Pine Needles and Straw Converted Into Feed For Sheep

The food blockade of the Central European nations since the beginning of the European war has stimulated scientific research in Germany to a remarkable degree. Four recent scientific papers on the general subject of animal feeding contain matter showing the degree of attention being paid the development of what might be called the unusual fodder plants.

Prof. Zuntz of the University of Berlin, foremost authority in animal husbandry in all the world, reports in Biochemische Centralblatt that the crude fiber of straw is almost entirely digestible by horses. He further states that one kilogram of straw (2.2 pounds) with which 20% of molasses has been mixed, has as much energy value as 2.55 kilograms of hay, or 0.52 of oats. In straw feeding it has been found feasible to feed one part of digestible protein with fourteen parts of carbohydrates.

Another group of scientists at one of the other universities has conducted exhaustive researches on the nutritive value of oat, wheat, barley and rye straw meals. It has been concluded that straw meals serve a useful purpose for feeding ruminants but not swine. Straw meal is also declared to be of value in bread making, as human food.

Nothing Wasted. Prof. Stutzer of the agricultural experiment station has found that the digestibility of straw meal is appreciably increased by dampening it with dilute acetic acid. The vinegar treated straw was slightly brownish and acquired an agreeable odor. Sheep take to it and fatten rapidly on this diet.

Professors Stutzer and Haupt have also contrived a method of so treating pine needles, both fresh and dry, that they become an excellent forage. Pine needles ground into meal and extracted with alcohol to remove the resins and turpentine, and combined with potato meal and hay, were successfully used in feeding sheep. The Germans are using very means in their power to foster the production of sheep through out Central Europe through making otherwise useless plants available as forage for them.

In another series of experiments, Prof. Stutzer has developed a method of making sphagnum moss available as forage for sheep. Its digestibility is materially increased by first treating the moss with dilute sulphuric acid which is later neutralized with sodium carbonate.

Horse chestnuts have been converted into good bread material as well as feed for domestic animals by removing the bitter principle by treatment with hot water and alcohol.

NEW MANGANESE FACTS FOR PINEAPPLE GROWERS

Natural soil waters contain high volumes of carbonic acid gas in solution. Vincent, a French chemist, who has been working on manganese problems, a subject in which Hawaiian pineapple growers are vitally interested, finds that manganese is dissolved in soil waters containing this gas.

Strongly mineralized soil waters take up more manganese than the ordinary soil solutions. Vincent takes this to mean that the use of commercial fertilizers on manganese soils is not good practice. If he is correct, the practice of being followed would apparently be to use organic fertilizers only, on land irrigated with manganese.

The plowing under of straw, stable manure and green manure would be good agricultural practice, for purely chemical reasons aside from all considerations of increasing the permanent fertility of the land. This is the fertilizer practice now being followed on some of the larger plantations. The point is that if chemical fertilizers are applied they raise the mineralization of the soil water, thereby increasing the amount of manganese to become soluble.

GARBAGE TANKAGE NOT GOOD FERTILIZER

The nitrogen derived from garbage tankage has been found to have very little value as a fertilizer, according to recent tests at the Rhode Island experiment station. This and many other tests made elsewhere indicate that the final product of municipal sewage plants where septic tanks are employed is of very slight commercial value, at least for fertilizer.

To Eradicate Bedbugs

Practical information as to how to deal effectively with bedbugs is contained in Farmers' Bulletin 754, recently published by the United States department of agriculture. This bulletin contains information on the habits of these pests and suggests simple household measures, as well as more radical methods for getting rid of them.

Benzine, kerosene or gasoline need freely are very effective, while sulphur fumigation is recommended where the whole house is infested.

Peroxide of hydrogen is recommended for use on